

**SUPERIOR COURT OF WASHINGTON
COUNTY OF**

In re:

and

Child(ren),

Petitioner(s),

Respondent(s).

NO.

**OBJECTION TO RELOCATION/
PETITION FOR MODIFICATION OF
CUSTODY DECREE/PARENTING
PLAN/RESIDENTIAL SCHEDULE
(OBPT)**

I. IDENTIFICATION OF PARTIES

1.1 OBJECTING PARTY.

Name (first/last) of objecting party _____.

1.2 RELOCATING PARTY.

Name (first/last) of relocating party _____.

1.3 OTHER PERSONS WITH COURT-ORDERED TIME WITH THE CHILDREN.

List other persons with court-ordered time with the children.

Name (first/last) _____

Name (first/last) _____

Name (first/last) _____

1.4 DEPENDENT CHILDREN.

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

II. OBJECTION TO RELOCATION OR PROPOSED REVISED RESIDENTIAL SCHEDULE

(Check all that apply)

- 2.1 ☐ I, _____ [objecting party], object to the intended relocation described in _____ [relocating party's] Notice of Intended Relocation of Children dated _____.
- 2.2 ☐ I, _____ [objecting party], object to the proposed revised parenting plan/residential schedule attached to _____ [relocating party's] Notice of Intended Relocation of Children dated _____.

A true and correct copy of the Notice of Intended Relocation of Children, ☐ without ☐ with proposed new parenting plan/residential schedule, is attached.

III. BASIS

- 3.1 PETITION FOR AN ORDER MODIFYING CUSTODY DECREE/PARENTING PLAN/RESIDENTIAL SCHEDULE PURSUANT TO RELOCATION.

This is a petition for modification of custody decree/parenting plan/residential schedule pursuant to relocation. The objecting party asks the court to enter an order:

- ☐ Restraining the intended relocation of the children.
- ☐ Retaining the custody decree/parenting plan/residential schedule entered on _____ [Date].
- ☐ Approving the parenting plan/residential schedule filed with this petition. (Use the Washington State mandatory pattern form.)
- ☐ Other:

- 3.2 ADEQUATE CAUSE.

The relocation of the children is being pursued. There is no need for adequate cause for hearing this petition for modification.

- 3.3 CHILD SUPPORT.

- ☐ Does not apply.
- ☐ An order establishing child support in conjunction with the proposed parenting plan should be entered. A child support worksheet and financial declaration have been filed with this action. (No separate petition for modification of child support needs to be filed.)

3.4 JURISDICTION AND VENUE.

The court has proper jurisdiction and venue.

The objecting party resides in _____ [county and state].

The children reside in _____ [county and state].

The relocating party resides in _____ [county and state].

The current custody decree/parenting plan/residential schedule was entered in _____ [county and state]. A certified copy of the current custody decree/parenting plan/residential schedule is filed with or attached to this petition, if the decree or plan to be modified was entered in another county or state.

3.5 JURISDICTION OVER PROCEEDING.

This court has jurisdiction over this proceeding for the reasons below.

- ☐ This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.
- ☐ This state is the home state of the children because
 - ☐ the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
 - ☐ the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.
 - ☐ any absences from Washington have been only temporary.
 - ☐ Washington was the home state of the children within six months before the commencement of this proceeding and the children are absent from the state, but a parent or person acting as a parent continues to live in this state.
- ☐ The children and the parents or the children and at least one parent or a person acting as a parent, have significant connection with the state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and
 - ☐ the children have no home state elsewhere.
 - ☐ the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.
- ☐ All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.

- ☐ No other state has jurisdiction.
- ☐ This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.
- ☐ There is a previous custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. The requirements of RCW 26.27.231(3) apply to this matter. This state's jurisdiction over the children shall last until _____ [Date].
- ☐ There is no previous custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. If an action is not filed in _____ [potential home state] by the time the child has been in Washington for six months, _____ [Date], then Washington's jurisdiction will be final and continuing.
- ☐ Other:

3.6 UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT INFORMATION.

During the last five years, the children have lived:

- ☐ in no place other than the state of Washington and with no person other than the objecting party or another party.
- ☐ in the following places with the following persons (list each place the children lived, including the state of Washington, the dates the children lived there and the names of the persons with whom the children lived. The present addresses of those persons must be listed in the required Confidential Information Form.):

Claims to custody or visitation:

- ☐ The objecting party does not know of any person other than the relocating party who has physical custody of, or claims to have custody or visitation rights to, the children.
- ☐ The following persons have physical custody of, or claim to have custody or visitation rights to, the children (list their names and the children concerned below and list their present addresses in the Confidential Information Form. Do not list the relocating party.):

Involvement in any other proceeding concerning the children:

- ☐ The objecting party has not been involved in any other proceeding regarding the children.
- ☐ The objecting party has been involved in the following proceedings regarding the children (list the court, the case number, and the date of the judgment or order):

Other legal proceedings concerning the children:

- ☐ The objecting party does not know of any other legal proceedings concerning the children.
- ☐ The objecting party knows of the following legal proceedings which concern the children (list the children concerned, the court, the case number, and the kind of proceeding):

3.7 REASONS FOR OBJECTING TO THE RELOCATION.

Based upon the following factors, the detrimental effects of allowing the children to move with the relocating person outweigh the benefits of the move to the children and the relocating person:

- 3.7.1 The relative strength, nature, quality, extent of involvement, and stability of the child's relationship with each parent ☐ sibling ☐ and other significant persons in the child's life.
 - ☐ Does not apply.
 - ☐ Does apply. Explain:

- 3.7.2 Prior agreements of the parties.
 - ☐ Does not apply.
 - ☐ Does apply. Explain:

- 3.7.3 Disrupting contact between the child and the objecting party or parent is more detrimental to the child than disrupting contact between the child and the person with whom the child resides a majority of the time.
☐ Does not apply.
☐ Does apply. Explain:
- 3.7.4a The objecting party or parent ☐ is ☐ is not subject to limitations under RCW 26.09.191.
☐ Does not apply.
☐ Does apply. Explain:
- 3.7.4b The following parents or persons entitled to residential time with the child are subject to limitations under RCW 26.09.191.
☐ Does not apply.
☐ Does apply. Explain:
- 3.7.5 The reasons and good faith of each person seeking or opposing the relocation.
☐ Does not apply.
☐ Does apply. Explain:
- 3.7.6 The age, developmental stage, and needs of the child, and the likely impact the relocation or its prevention will have on the child's physical, educational, and emotional development, taking into consideration any special needs of the child.
☐ Does not apply.
☐ Does apply. Explain:

3.7.7 The quality of life, resources, and opportunities available to the child and to the relocating party in the current and proposed geographic locations.

☐ Does not apply.

☐ Does apply. Explain:

3.7.8 The availability of alternative arrangements to foster and continue the child's relationship with and access to the other parent.

☐ Does not apply.

☐ Does apply. Explain:

3.7.9 Alternatives to relocation and whether it is feasible and desirable for the other party to relocate.

☐ Does not apply.

☐ Does apply. Explain:

3.7.10 The financial impact and logistics of relocation or its prevention.

☐ Does not apply.

☐ Does apply. Explain:

3.8 REASONS FOR OBJECTING TO THE RELOCATING PARTY'S PROPOSED PARENTING PLAN/RESIDENTIAL SCHEDULE.

☐ Does not apply.

☐ I object to the relocating party's proposed parenting plan/residential schedule because:

3.9 MODIFICATION OR ADJUSTMENT TO THE RESIDENTIAL PROVISIONS OF THE PARENTING PLAN OR RESIDENTIAL SCHEDULE.

- ☐ Does not apply.
- ☐ The objecting party requests an adjustment of the residential provisions of the relocating party's proposed parenting plan. The adjustment does not include a change in the residence in which the children reside the majority of the time.
- ☐ The objecting party requests a modification of the relocating party's proposed parenting plan/residential schedule, including a change in the residence in which the children reside the majority of the time.

3.10 PROTECTION ORDER.

- ☐ Does not apply.
- ☐ A domestic violence protection order should be entered protecting _____ [Name] from _____ [Name] because _____ [Name] has committed domestic violence as defined by 26.50 RCW against _____ [Name]. (If the court orders this relief, the restrained person will be prohibited from possessing a firearm or ammunition under federal law for the duration of the order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

If you need immediate protection, contact the clerk/court for RCW 26.50 Domestic Violence forms.

3.11 OTHER:

IV. RELIEF REQUESTED

The objecting party REQUESTS that the court:

- ☐ Restrain the relocation of the children.
- ☐ Permit the relocation of the children.
- ☐ Retain the custody decree/parenting plan/residential schedule entered on _____ [Date].
- ☐ Approve the proposed parenting plan/residential schedule which is filed with this Objection/Petition. [Use the Washington State mandatory pattern form.]
- ☐ Enter an order establishing child support in conjunction with the objecting party's proposed parenting plan/residential schedule. The child support worksheet and financial declaration are filed with this petition.
- ☐ Enter a domestic violence protection order.
- ☐ Other:

Dated: _____

Signature of Lawyer or Objecting Party

Print or Type Name

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at _____ [City and State] on _____ [Date].

Signature

Print or Type Name